

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF INDIANA
TERRE HAUTE DIVISION

JEROME WILLIAMS, JR.,)	
)	
Petitioner,)	
)	
v.)	No. 2:19-cv-00470-JPH-MJD
)	
B. LAMMER,)	
)	
Respondent.)	


Order Denying Request to Proceed on Appeal *In Forma Pauperis*

The petitioner seeks leave to proceed on appeal without prepayment of the appellate fees of \$505.00. An appeal may not be taken *in forma pauperis* if the trial court certifies that the appeal is not taken in good faith. 28 U.S.C. § 1915; *see Coppedge v. United States*, 369 U.S. 438 (1962). “Good faith” within the meaning of § 1915 must be judged by an objective, not a subjective, standard. *See id.*

There is no objectively reasonable argument the petitioner could present to argue that the denial of his petition pursuant to 28 U.S.C. § 2241 when he previously raised the claims he raises in that petition was erroneous. In pursuing an appeal, therefore, the petitioner “is acting in bad faith . . . [because] to sue in bad faith means merely to sue on the basis of a frivolous claim, which is to say a claim that no reasonable person could suppose to have any merit.” *Lee v. Clinton*, 209 F.3d 1025, 1026 (7th Cir. 2000). Accordingly, his appeal is not taken in good faith, and for this reason his request for leave to proceed on appeal *in forma pauperis*, dkt [26], is **denied**. His motion for a status update, dkt. [27], is **denied** as moot.

SO ORDERED.

Date: 12/9/2020


James Patrick Hanlon
United States District Judge
Southern District of Indiana

Distribution:

JEROME WILLIAMS, JR.

09749-027

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